

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. **99-27 C1** Total Pages **109**

First Named Inventor or Application Identifier

JAFARI et al.

Title **Medical Ventilator Triggering and Cycling Method and Mechanism**

Express Mail Label No. **EV 196251703 US**

16591 U.S. PTO
10/617590
07/11/03

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages **73**]
(preferred arrangement set forth below)
-Descriptive Title of the Invention
-Cross References to Related Applications
-Statement Regarding Fed sponsored R & D
-Background of the Invention
-Brief Summary of the Invention
-Brief Description of the Drawings (if filed)
-Detailed Description
-Claim(s)
-Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. § 113) [Total Sheets **4**]
4. ☒ Oath or Declaration [Total Pages **2**]
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Boxes 19 and 20 completed)
[Note Box 5 below]
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
c. ☐ Unsigned
5. ☒ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☒ Application Data Sheet per 37 C.F.R. § 1.76
[Total Pages **2**]

7. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 U.S.C. § 119(e)/120/365(c) based on the following provisional, nonprovisional, and/or PCT international applications.

	Application No.	Filing Date
(1)	09/970,383	October 2, 2001
(2)	60/238,387	October 6, 2000

8. ☒ Prior application is assigned to Respironics, Inc. by Assignment recorded January 7, 2002 Reel 012438 Frame(s) 0638.

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
(Please return recorded assignment to the undersigned)
10. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☐ Copies of IDS Citations
Statement (IDS)/PTO-1449
13. ☒ Preliminary Amendment (to be entered before calculating fees)
14. ☒ Return Receipt Postcard
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Certificate of Mailing by Express Mail
17. ☐ Non-publication Request and Cert. under 35 U.S.C.
§ 122(b)(2)(B)(i) (attach copy of RI-186 Form (PTO/SB/35)).
18. ☒ Other: Submission of Formal Drawings

19. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/970,383

Prior application Information: Examiner: 3761 Group/ArtUnit: Mitchell, T.

20. Please amend the specification by inserting before the first line the sentence: This is a ☐ Continuation ☐ Divisional
☐ Continuation-in-part (CIP) of prior application No. _____

21. CORRESPONDENCE ADDRESS

Customer No. and Bar Code Label.



30031

PATENT TRADEMARK OFFICE

Name	Michael W. Haas	Reg. No.	35,174
Signature	<i>Michael W. Haas</i>	Date	July 11, 2003

FEE TRANSMITTAL

(Effective 01/01/2003)

Application Number Not Yet Assigned

Filing Date July 11, 2003

First Named Inventor JAFARI et al.

Confirmation Number Unknown

Group Art Unit Unknown

"Express Mail" Label No. EV 196251703 US

Examiner's Name Unknown

TOTAL AMOUNT OF PAYMENT \$ 876.00

Attorney Docket No. 99-27 C1

METHOD OF PAYMENT1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

50-0558

Deposit Account Name

Respiroics, Inc.

☒

Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17 and 1.20

☐

Charge the Issue Fee set forth in 37 C.F.R. § 1.18

2. ☒ Payment Enclosed:

Check (Check No. 269980)

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or declaration	
1052	50	2052	25	Surcharge - late provisional filing fee or or cover sheet	
1811	100	1811	100	Certificate of Correction	
1812	2,520	1812	2,520	For filing a request for reexamination	
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for response within first month	
1252	410	2252	205	Extension for response within second month	
1253	930	2253	465	Extension for response within third month	
1254	1,450	2254	725	Extension for response within fourth month	
1255	1,970	2255	985	Extension for response within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive unavoidably abandoned application	
1453	1,300	2453	650	Petition to revive unintentionally abandoned application	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1814	110	2814	55	Statutory Disclaimer	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of property)	
1809	750	2809	375	Filing a submission after final rejection (37 C.F.R. § 1.129(a))	
1801	750	2801	375	Request for Continued Examination	

Other Fee (specify) _____

SUBTOTAL (1) \$ 750.00**2. CLAIMS**

2. CLAIMS			Extra Claims	Fee from Below	Fee Paid
Total Claims	<u>27</u>	- <u>20</u> *	<u>7</u> x	18 =	126.00
Ind. Claims	<u>2</u>	- <u>3</u> *	<u>0</u> x	84 =	0.00
Multiple Dependent Claims add				280 =	0.00


SUBTOTAL (1) \$ 750.00

Multiple Dependent Claims add 280 = 0.00

* Enter Highest Number Previous Paid For

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim
1204 84	2204 42	Reissue independent claims over original patent
1205 18	2205 9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 126.00**SUBTOTAL (3)** \$ 0.00**SUBMITTED BY**

Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature		Date	July 11, 2003
		Deposit Account Number	50-0558

Certificate of Mailing by "Express Mail"

EV 196251703 US

"Express Mail" label number

July 11, 2003

Date of Deposit

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Michael W. Haas

Typed or printed name of person mailing correspondence

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : JAFARI et al.
Appln. No. : Not Yet Assigned (Cont. of U.S. Appln. No. 09/970,383)
Conf. No.: : Unknown
Filed: : July 11, 2003
Title: : MEDICAL VENTILATOR TRIGGERING AND CYCLING
METHOD AND MECHANISM
Group Art Unit : Unknown
Examiner : Unknown
Docket No. : 99-27 C1

* * * * *

July 11, 2003

FILING OF FORMAL DRAWINGS

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Please accept herewith the four (4) sheets of formal drawings on 8½ x 11 size paper of FIGS. 1-4, which are in lieu of the informal drawings filed herewith. Each sheet of drawings includes the identifying indicia suggested in 37 C.F.R. § 1.84(c) on the reverse side of the drawing.

Respectfully submitted,

By Michael W. Haas

Michael W. Haas

Reg. No.: 35,174

Tel. No.: (724) 387-5026

Fax No.: (274) 387-5021

RESPIRONICS, INC.
1010 Murry Ridge Lane
Murrysville, PA 15668

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on July 11, 2003 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

"Express Mail" mailing number: EV 196251703 US.

Michael W. Haas

Michael W. Haas, Reg. No. 35,174